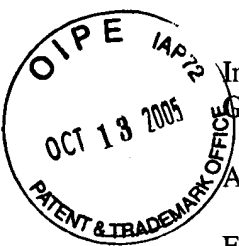


IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of
GOERLITZER, et. al.

Examiner: Not Yet Assigned

Application No.: **10/789,281**

Art Unit: 1626

Filed: **February 27, 2005**

Title: **1,3-SUBSTITUTED CYCLOALKYL DERIVATIVES
HAVING ACIDIC, MOSTLY
HETEROCYCLIC GROUPS, PROCESSES
FOR THEIR PREPARATION AND THEIR USE
AS PHARMACEUTICALS**

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Brian Pritchett
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

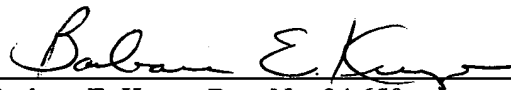
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Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☒ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, or before the mailing of a first office action after the filing of a request for continued examination under §1.114 whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

- ☐ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
- ☐ (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

Respectfully submitted,



Barbara E. Kurys, Reg. No. 34,650
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
(a member of the sanofi-aventis group)
U.S. Patent Operations
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-2965
Telefax (908) 231-2626
Aventis Docket No. DEAV2003/0015 US NP

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Complete if Known

Application Number	10/789,281
Filing Date	02-27-2004
First Named Inventor	GOERLITZER, et, al.
Group Art Unit	1626
Examiner Name	Not Yet Assigned
Attorney Docket Number	DEAV2003/0015 - US - NP

(use as many sheets as necessary)

Sheet	1	of	7	Attorney Docket Number	DEAV2003/0015 - US - NP
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U.S. PATENT DOCUMENT						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,190,923		VINCENT, et. al.	03-02-1993	
		2004-0087648		BARINGHAUS, et. al.	05-29-1999	
		6,221,633		ERTL, et. al.	04-24-2001	
		6,221,897		BARINGHAUS, et. al.	04-24-2001	
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		6,277,831		FRICK, et. al.	08-21-2001	
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		6,441,022		BARINGHAUS, et. al.	08-27-2002	
		6,506,778		DEFOSSA, et. al.	01-14-2003	
		6,552,048		KIRSCH, et. al.	04-22-2003	
		6,566,340		BARINGHAUS, et. al.	05-20-2003	
		6,569,835		BARINGHAUS, et. al.	05-27-2003	
		6,642,269		BARINGHAUS, et. al.	11-04-2003	
		6,897,198		BARINGHAUS, et. al.	05-24-2005	

FOREIGN PATENT DOCUMENTS								
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	76
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	00/40569		HODSON, et. al.	07-13-2000		
		WO	00/63208		DORWALD, et. al.	10-26-2000		
		WO	00/64876		JAYYOSI, et. al.	11-02-2000		
		WO	00/64888		JAYYOSI, et. al.	11-02-2000		
		WO	00/66585		HORVATH, et. al.	11-09-2000		
		WO	00/71549		BROUGH, et. al.	11-30-2000		
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		WO	01/04146 A2		OLSEN, et. al.	01-18-2001		
		WO	01/09111 A1		BRINER, et. al.	02-08-2001		
		WO	01/21602 A1		CHENG, et. al.	03-29-2001		

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Sheet	2	of	7
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Application Number	10/789,281
Filing Date	02-27-2004
First Named Inventor	GOERLITZER, et. al.
Group Art Unit	1626
Examiner Name	Not Yet Assigned
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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	01/40169 A1		HALLGREN, et. al.	06-07-2001		
		WO	01/40171 A1		BOIJE, et. al.	06-07-2001		
		WO	01/72290 A2		DEMUTH, et. al.	10-04-2001		
		WO	01/81327 A1		OONODA, et. al.	11-01-2001		
		WO	01/83451		IKUTA, et. al.	11-08-2001		
		WO	01/85695 A1		LI, et. al.	11-15-2001		
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		WO	02/100403 A1		GOSSETT, et. al.	12-19-2002		
		WO	02/38541 A1		FUKUSHIMA, et. al.	05-16-2002		

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Sheet 4 of 7

Application Number	10/789,281
Filing Date	02-27-2004
First Named Inventor	GOERLITZER, et. al.
Group Art Unit	1626
Examiner Name	Not Yet Assigned
Attorney Docket Number	DEAV2003/0015 - US - NP

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	97/41097		LOHRAY, et. al.	11-06-1997		
		WO	98/08871		KNUDSEN, et. al.	03-05-1998		
		WO	98/19998		VILLHAUER, et. al.	05-14-1998		
		WO	99/03861		NIELSEN, et. al.	01-28-1999		
		WO	99/15525		BRODIN, et. al.	04-01-1999		
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		WO	99/62871		ANDERSSON, et. al.	12-09-1999		
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		WO	99/67278		DEMUTH, et. al.	12-29-1999		
		WO	99/67279		DEMUTH, et. al.	12-29-1999		

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			Application Number	10/789,281	
			Filing Date	02-27-2004	
			First Named Inventor	GOERLITZER, et. al.	
			Group Art Unit	1626	
			Examiner Name	Not Yet Assigned	
Sheet	6	of	7	Attorney Docket Number	DEAV2003/0015 - US - NP

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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ASAKAWA, A. et. al., Cocaine-Amphetamine-Regulated Transcript Influences Energy Metabolism Anxiety and Gastric Emptying in Mice, Hormone and Metabolic Reserch; Vol. 33(9); 2001; pp 554-558	
		BERGER, J., et. al., The Mechanisms of Action of PPARs, Annul. Rev. Med.; Vol. 53; 2002; pp 409-435	
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		KERSTEN, S., et. al., Roles of PPARs in Health and Disease, Nature; Vol. 405; May 25, 2000; pp 421-424	
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		MOTOJIMA, K., et. al., Peroxisome Proliferator-Activated Receptor (PPAR): Structure, Mechanisms of Activation and Diverse Functions, Cell Structure and Function; Vol. 18; 1993; pp 267-277	
		OKADA, H., et. al., Synthesis and Antitumor Activities of Prodrugs of Benzoylphenylureas, Chem. Pharm. Bull.; Vol. 42(1); 1994; pp 57-61	
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		PINEDA TORRA, I., et. al., Peroxisome proliferator-activated receptor alpha in metabolic disease, inflammation, atherosclerosis and aging, Curr. Opin. Lipidol; Vol. 10; 1999; pp 151-159	

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			Application Number	10/789,281
			Filing Date	02-27-2004
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		VIDAL-PUIG, A., et. al., Regulation of PPAR γ Gene Expression by Nutrition and Obesity in Rodents, J. Clin. Invest.; Vol. 97, No. 11, 1996; pp 2553-2561	
		WILSON, T.M., et. al., The PPARs: From Orphan Receptors to Drug Discovery, Journal of Medicinal Chemistry; Vol. 43, NO. 4; 2000; pp 527-550	
		ZUNFT, H.J.F., et. al., Carob Pulp Preparation for Treatment of Hypercholesterolemia, Advances in Natural Therapy; Vol. 18, No. 5; Sept.-Oct, 2001; pp 230-236	

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